

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Jerome Rico Evans

Docket No. 7:10-CR-13-1FL

Petition for Action on Supervised Release

COMES NOW Brittany N. Simmons, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jerome Rico Evans, who, upon an earlier plea of guilty to Possession With Intent to Distribute a Quantity of Heroin and a Quantity of Cocaine Base (Crack), 21 U.S.C. § 841(a)(1), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on December 8, 2010, to the custody of the Bureau of Prisons for a term of 170 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Jerome Rico Evans was released from custody on April 8, 2022, at which time the term of supervised release commenced. On April 6, 2017, the case was reassigned to U.S. District Judge Louise W. Flanagan.

On October 17, 2022, a Violation Report was submitted advising of the defendant using marijuana. It was recommended that Evans be referred for a substance assessment and participate with any recommended treatment. The defendant was also continued in the Surprise Urinalysis Program.

On November 15, 2022, a Violation Report was submitted advising of the defendant using marijuana. It was recommended that Evans continue in the Surprise Urinalysis Program and in substance abuse treatment.

On May 22, 2023, a Violation Report was submitted advising of the defendant using marijuana. It was recommended the defendant be allowed to reengage in substance abuse treatment, complete any treatment recommended by providers, and continue in the Surprise Urinalysis Program.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On August 19, 2023, the defendant committed the offenses of Misdemeanor Driving While Impaired; Improper Use of Traffic Lane; and Designated Lane Violation (23CR389453) in Wake County, North Carolina. The defendant contacted the probation officer to disclose the citation. To address this issue and closely monitor Evans's behavior, the probation office is recommending participation in our district's Remote Alcohol Monitoring Program for a period of 90 days. It is also the recommendation of our office that the defendant be required to abstain from alcohol consumption and continue in substance abuse treatment.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall abide by all terms and conditions of the Remote Alcohol Monitoring Program, as directed by the probation officer, for a period not to exceed 90 consecutive days.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Maurice J. Foy
Maurice J. Foy
Supervising U.S. Probation Officer

/s/ Brittany N. Simmons
Brittany N. Simmons
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8669
Executed On: August 25, 2023

ORDER OF THE COURT

Considered and ordered this 25th day of August, 2023, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge